

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOSHUA HU, *et al.*,

Plaintiffs,

v.

BMW OF NORTH AMERICA LLC,
et al.,

Defendants.

Civil Action No. 18-4363 (KM)(JBC)

STIPULATION AND PROPOSED ORDER

WHEREAS, the Parties submitted a joint discovery plan pursuant to Federal Rule of Civil Procedure 26(f) and the Local Rules of the U.S. District Court for the District of New Jersey on September 7, 2021;

WHEREAS, this Court issued a pretrial scheduling order on September 16, 2021 (ECF No. 143) (the “Scheduling Order”) following a scheduling conference on September 14, 2021;

WHEREAS, the Parties jointly seek to clarify and amend the Scheduling Order;

IT IS HEREBY STIPULATED AND AGREED by and between the parties below that:

1. The October 15, 2021 deadline set in Paragraph 4 of the Scheduling Order concerns service of initial discovery requests, and does not bar subsequent

service of additional discovery requests.

2. Written responses and objections to requests for production will be due 30 days after service of the requests, written responses and objections to interrogatories and requests for admission will be due 45 days after service of the requests, and verifications of interrogatories will be provided within 14 days after service of written responses and objections to those interrogatories.

3. The Parties may agree to extend the above-stated deadlines for service of written responses and objections to discovery requests without seeking leave of the Court.

4. The December 17, 2021 deadline set in Paragraph 8 of the Scheduling Order concerns disputes about discovery requests served before or on October 15, 2021, and a separate deadline for raising disputes about subsequent discovery requests has not yet been determined. Disputes concerning productions made after October 15, 2021 shall be subject to a separate deadline determined at the next scheduling conference, currently set for January 12, 2022.

5. The Parties will submit a proposed confidentiality order that complies with Federal Rule of Civil Procedure 26(c) and Local Civil Rule 5.3(b). Pursuant to amendments to Local Civil Rule 5.3(b), an affidavit or attorney certification is no longer required to accompany a proposed confidentiality order.

IT IS FURTHER STIPULATED AND AGREED by and between the parties below that this stipulation is not and shall not be construed as a waiver of any party's jurisdictional, substantive, or procedural arguments, claims, defenses, rights and remedies in connection with the above-captioned matter, all of which are hereby expressly reserved.

SO ORDERED.

Dated: 10/19/2021



HON. JAMES B. CLARK, III
United States Magistrate Judge

SO STIPULATED

Dated: October 15, 2021

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